



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

147532

REPLY TO THE ATTENTION OF:

April 21, 1997

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Philip M. Moilanen  
Bullen, Moilanen, Klaasen & Swan  
402 South Brown Street  
Jackson, Michigan 49203

RE: Albion-Sheridan Township Landfill Site  
Albion, Michigan

Dear Mr. Moilanen:

This letter responds to your letter to the undersigned dated March 31, 1997.

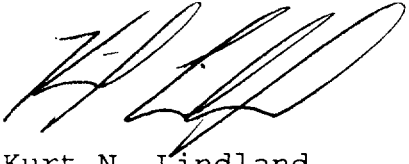
As I indicated during our meeting on March 17, 1997, U.S. EPA is not currently interested in entering into a Consent Decree with Decker Manufacturing ("Decker") regarding implementation of the Remedial Design/Remedial Action ("RD/RA") at the above referenced Site. As you know, Decker is required to implement the RD/RA under a Unilateral Administrative Order for RD/RA ("UAO") pursuant to Section 106 of CERCLA.

The "proposal" set forth in your letter apparently includes the actions, which Decker indicated during our meeting, that it would take in response to the UAO and my February 5, 1997 letter. As I mentioned during the meeting, the extent to which Decker decides to comply with the UAO and implement the actions set forth in the February 5, 1997, letter is solely within Decker's discretion. Assuming Decker implements the actions included in your "proposal" pursuant to the UAO, instead of implementing all the actions identified in my February 5, 1997, letter, EPA will determine whether such implementation constitutes compliance with the UAO, and whether an enforcement action is necessary.

Also, the Wood-ward Clyde fax you referenced was in fact an e-mail which did not identify the necessary land rights. Instead, the e-mail, which was deleted since our meeting, simply stated that some of the property we discussed (the Gill property) would be used for storm-water runoff, borrow material and access to monitoring wells.

If you have any questions regarding this matter, please do not hesitate to call me at (312) 886-6831.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'K. Lindland', with a stylized, cursive script.

Kurt N. Lindland  
Assistant Regional Counsel

cc: Jon Peterson/EPA/SR-6J  
Frank Biros/DOJ/EES

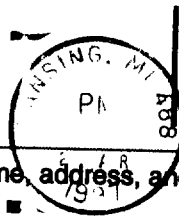
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